

1 MR. KNOWLES-KELLETT: Okay. Regarding who would
2 pay. Strike that question.

3 BY MR. KNOWLES-KELLETT:

4 Q Were there any discussions with Carolyn regarding
5 who would pay for the construction of this station?

6 A Not with me, sir.

7 Q Okay. That's the answer I was looking for. Did
8 you have any discussions with Carolyn regarding whether she
9 had to put any money up to get involved in this enterprise?

10 A No, sir, I did not.

11 Q Okay. Did you have any discussions with her at
12 all regarding how this would be managed?

13 A Not me. I did not.

14 JUDGE STEINBERG: When you say this in the
15 question, you mean this station?

16 MR. KNOWLES-KELLETT: This station. Correct.

17 JUDGE STEINBERG: Ms. Lutz's station?

18 MR. KNOWLES-KELLETT: Yes.

19 BY MR. KNOWLES-KELLETT:

20 Q With that understanding, is your answer the same?
21 No discussions?

22 A No discussions. Not with me, sir.

23 Q Okay. And the address on that list? Is that
24 Carolyn's address?

25 MR. ROMNEY: Could we have a description for the

1 record, please?

2 JUDGE STEINBERG: It's page 229 of Exhibit 19.

3 MR. ROMNEY: Thank you, Your Honor.

4 THE WITNESS: Yes, sir. That is her home.

5 MR. KNOWLES-KELLETT: Okay.

6 BY MR. KNOWLES-KELLETT:

7 Q When she got cards and a license, did you get
8 copies of it?

9 A Yes. I believe she brought them and give them to
10 Ron. She handed them through him, not me. I believe that
11 she told me she got them, and she said I give them to Ron.

12 Q Okay. Please turn to Exhibit 1.

13 A In this big book?

14 JUDGE STEINBERG: It's in the other big book.

15 MR. KNOWLES-KELLETT: The other book.

16 THE WITNESS: The other book. Okay. All right,
17 sir.

18 BY MR. KNOWLES-KELLETT:

19 Q Do you recognize this document?

20 A Let's see what this is.

21 Q For your information, this is --

22 JUDGE STEINBERG: Let the witness take a look at
23 it.

24 THE WITNESS: Yes. I recognize this as being
25 the -- I'm trying to think of what it was. I went blank.

1 The NetWave petition.

2 MR. KNOWLES-KELLETT: Okay.

3 BY MR. KNOWLES-KELLETT:

4 Q Now, when the NetWave petition came in do you
5 recall what happened at about that time with respect to the
6 Sumpters? Were you aware of it when it was mailed to you?

7 A Yes, sir. I don't remember if they mailed it to
8 my home or they mailed it to the office, --

9 Q Okay.

10 A -- but I do remember that it seemed like I had to
11 sign for it. Someone signed for it. Susan might have. If
12 it came to the office, Susan probably signed at the front
13 desk.

14 Q Okay. Did you read it when it came in?

15 A I took it and looked at it and gave it to Ronald.

16 Q Okay. Did you have any discussions with the
17 Sumpters regarding the NetWave petition?

18 A Other than looking at it and determining that -- I
19 told them that we would get an attorney and that we would
20 talk to them. That would be anyone that was named here that
21 wanted to talk to the attorney.

22 If they felt like that they wanted our attorney to
23 represent them in this action, fine. If they wanted to get
24 their own, that would be up to them, but we would get, you
25 know, an attorney.

1 Q Okay. Who did you have that conversation with?

2 A Norma.

3 Q Okay. And you anticipated that it would be
4 relayed to the others?

5 A Yes, sir.

6 Q Did you then get an attorney?

7 A Ron did, yes. He engaged an attorney.

8 Q Did you have any other discussions with Norma and
9 Jim at this time?

10 A No, not -- I don't know the time frame that it
11 went in there. No, I didn't.

12 Q Okay. Do you see the date on the front of that,
13 Received November 19, 1997?

14 A Yes.

15 Q Okay. I would like you to look at Exhibit 39, if
16 you would. Do you recognize Exhibit 39?

17 A Yes, sir.

18 Q Okay. It appears to be a letter addressed to you
19 and Ronald. Did you receive this letter?

20 A I don't remember ever receiving this letter.

21 Q Okay. Exhibit 40? Do you recall receiving that
22 letter?

23 A No.

24 Q Okay. Do you recall talking to Ronald about
25 receiving these letters at all?

1 A I'm sure that if he got the letter that he would
2 have showed it to me.

3 Q Okay. Do you recall the Sumpters, and by the
4 Sumpters I mean Jim, Norma, Melissa and Jennifer. Again,
5 understand that I am throwing Jennifer Hill in with the
6 Sumpters.

7 A Yes, sir.

8 Q She is Jim and Norma's daughter. Is that correct?

9 A That's correct.

10 Q And your niece?

11 A That's correct.

12 Q Okay. Do you recall the Sumpters being upset
13 about the NetWave petition?

14 A Yes, they were upset. They were frightened.

15 Q Okay.

16 A They were afraid that because they were being sued
17 that they would lose their license. Jim would lose his CPA
18 license because he was being used.

19 Q Okay.

20 A Him in turn convinced Jennifer that she was also
21 in jeopardy of losing her CPA license because she was being
22 sued.

23 JUDGE STEINBERG: Jennifer Hill is a CPA also?

24 THE WITNESS: Yes, sir, and that Melissa would
25 lose her nursing license because someone was suing her.

1 MR. KNOWLES-KELLETT: Okay.

2 BY MR. KNOWLES-KELLETT:

3 Q Who told you this? How did you learn this?

4 A From Norma. From Jim's conversation to Norma.

5 Norma told me what Jim said; that they would lose their
6 license because they were being sued. I said Norma, no one
7 can lose a license just because you're being sued.

8 JUDGE STEINBERG: If you would look at Exhibit 39,
9 the second page on there, please?

10 THE WITNESS: Okay. Okay.

11 JUDGE STEINBERG: It looks to me like an envelope.
12 Does it look to you like an envelope?

13 THE WITNESS: It looks like an envelope to me.

14 JUDGE STEINBERG: Is that your correct address on
15 the envelope?

16 THE WITNESS: Yes, that is my correct address.

17 JUDGE STEINBERG: And the correct zip code?

18 THE WITNESS: Yes, sir. Yes, that is our correct.

19 JUDGE STEINBERG: Do you see a little --

20 THE WITNESS: First notice, second notice.

21 JUDGE STEINBERG: -- first notice, second notice,
22 returned?

23 THE WITNESS: Yes, sir.

24 JUDGE STEINBERG: Do you ever recall getting in
25 the mail -- first, who looked at the mail in your home? Who

1 picked up the mail in your home?

2 THE WITNESS: It's delivered, you know, straight
3 to the mailbox, and it was either me or Ron.

4 JUDGE STEINBERG: So it doesn't go through your
5 door?

6 THE WITNESS: No, sir. It's a mailbox on the
7 street.

8 JUDGE STEINBERG: On the street, but it's only
9 your mail is supposed to be in there? It's not like a
10 community mailbox?

11 THE WITNESS: No, it's not a community. It's my
12 mailbox.

13 JUDGE STEINBERG: Okay. Who usually goes and gets
14 the mail? Who would have gone and gotten the mail usually
15 in December, 1997?

16 THE WITNESS: In December, 1997? This would have
17 been --

18 JUDGE STEINBERG: That's a trick question.

19 THE WITNESS: Yes, it is. I could say I usually
20 get the mail.

21 JUDGE STEINBERG: Do you remember around early to
22 mid to late -- well, this was around Christmas time, before
23 and after Christmas. Merry Christmas from NetWave. Do you
24 remember seeing all the -- what were they -- yellow or pink
25 or green --

1 THE WITNESS: I think they're green.

2 JUDGE STEINBERG: -- little slips, the little
3 notices in your mailbox?

4 THE WITNESS: No, sir, I don't. You know, if I
5 get one I normally either write on it and tell the man to
6 redeliver it, you know, when I know I'm going to be home
7 because evidently we weren't home, and they tried to deliver
8 it because I'll be honest.

9 Basically the way our postman does if he has a
10 letter like this, he doesn't necessarily come to my door and
11 ring the doorbell and say, you know, I've got a letter that
12 you need to sign for. He just puts the card in the box, and
13 then you write on it, you know, it's okay to deliver it.
14 That's the way he does it. He doesn't come to the door and
15 you sign for it and he gives it to you and that.

16 JUDGE STEINBERG: Well, when you get letters like
17 this you do have to sign for them, don't you?

18 THE WITNESS: Well, most of the time you have to
19 get registered letters, but you could sign the card and put
20 it back in the mailbox.

21 JUDGE STEINBERG: Okay.

22 THE WITNESS: Then he would redeliver it.

23 JUDGE STEINBERG: Okay. Did you ever go to the --
24 how far away are you from the post office?

25 THE WITNESS: No, sir. I did not go to the post

1 office. I wouldn't have gone to the post office in December
2 anyway, but I don't.

3 JUDGE STEINBERG: For anything?

4 THE WITNESS: No, sir.

5 JUDGE STEINBERG: What if Publisher's
6 Clearinghouse sent you a check, and you had to go to the
7 post office to get it. You'd go?

8 THE WITNESS: Well, I wouldn't believe it. I
9 wouldn't believe it.

10 JUDGE STEINBERG: Okay. Mr. Kellett?

11 MR. KNOWLES-KELLETT: Okay.

12 THE WITNESS: I'd send Ronald, Your Honor.

13 BY MR. KNOWLES-KELLETT:

14 Q Okay. I'd like you to turn your attention to
15 Exhibit 2.

16 A Okay.

17 Q Do you see that that's an opposition filed on your
18 behalf by your attorney?

19 A Yes, sir.

20 Q Okay. Did you read this?

21 JUDGE STEINBERG: Do you want to look through the
22 other pages of it?

23 THE WITNESS: No, sir, because I probably didn't
24 look through them in the first place whenever they filed it
25 because Ronald would have handled it.

1 MR. KNOWLES-KELLETT: Okay.

2 THE WITNESS: I mean, this.

3 BY MR. KNOWLES-KELLETT:

4 Q So you wouldn't have looked at this in detail.

5 Would you have discussed the matter with Ronald at the time?

6 A No, sir.

7 Q Okay.

8 A I would have left it to his discretion?

9 Q Okay. So was he the company representative for
10 handling all of this?

11 A Yes. He would have normally handled anything in
12 dealings with small claims or anything like that --

13 Q Okay.

14 A -- unless it was something that I only had, you
15 know, personally dealt with and he couldn't.

16 Q Did you understand at the time it was being filed
17 for you, as well as for DLB?

18 A Yes, sir.

19 Q Okay.

20 JUDGE STEINBERG: What is the it?

21 MR. KNOWLES-KELLETT: The opposition. I'm sorry.

22 JUDGE STEINBERG: Exhibit 2?

23 MR. KNOWLES-KELLETT: Exhibit 2.

24 BY MR. KNOWLES-KELLETT:

25 Q Generally when lawyers filed pleadings on behalf

1 of you and DLB, did you read them?

2 A It would be in what respect that they would be
3 reading something that I would read it. Like I said, if it
4 was dealing with, you know, some service issue that I was
5 more privileged than he would, yes, I would have.

6 Q Okay. How about generally when they represented
7 you in this matter?

8 THE REPORTER: I'm sorry, sir. The microphone is
9 behind you right now.

10 MR. KNOWLES-KELLETT: I'm sorry.

11 BY MR. KNOWLES-KELLETT:

12 Q Generally when they filed responses on behalf of
13 you and DLB in this matter, would you have read them?

14 A Well, I haven't had that many to say. I haven't
15 had that to know. Basically this is I guess the only thing
16 that I've really had.

17 JUDGE STEINBERG: By this, you're pointing to the
18 opposition?

19 THE WITNESS: Yes.

20 JUDGE STEINBERG: That would be Exhibit 2.

21 THE WITNESS: You know, I don't know. I mean,
22 like I said, I don't know because I've not had that much
23 experience with having to deal with them.

24 BY MR. KNOWLES-KELLETT:

25 Q Do you recall having a deposition taken in

1 November? Ma'am, do you remember me taking your deposition
2 in November in Dallas?

3 A Of last year?

4 Q Yes.

5 A I thought we did it in December.

6 Q Okay. It was November 30.

7 A Was it November 30?

8 Q You recall when I asked you questions about --

9 A Yes, I remember. I remember a deposition, yes.

10 Q Okay. I'd like to draw your attention to page 33
11 of your deposition, Lines 4 through 8.

12 A 4 through 8?

13 Q Yes.

14 JUDGE STEINBERG: Just read them to yourself.

15 THE WITNESS: Okay.

16 (Pause.)

17 THE WITNESS: Okay.

18 BY MR. KNOWLES-KELLETT:

19 Q Okay. Do you recall that I asked you essentially
20 the same question, did you usually read papers filed by the
21 lawyers on your behalf, filed with the FCC on your behalf,
22 and that you responded that usually you would read them?

23 A Yes.

24 Q You recall that you said that? Is that correct?

25 A Yes, sir.

1 Q Okay. Is your testimony somehow different today?

2 A Well, I just don't remember today. I don't
3 remember --

4 Q Reading this particular --

5 A -- reading this in context.

6 Q Okay.

7 JUDGE STEINBERG: Let me just --

8 THE WITNESS: In context.

9 JUDGE STEINBERG: What the questions were relating
10 to were EB Exhibit 2, and the witness testified that she
11 didn't read EB Exhibit 2, that her husband took care of it,
12 and then the next questions were when your attorneys wrote
13 something on behalf of DLB did you read them and did you
14 review them, and that's when we got to the well, I let
15 Ronald handle that. I didn't really do it.

16 I think the only fair thing to do with Mrs.
17 Brasher, just like you did EB Exhibit 2, is show her a
18 document, ask her to review it and ask her if she read it.

19 MR. KNOWLES-KELLETT: Okay.

20 JUDGE STEINBERG: There are a lot of documents
21 here coming from DLB's attorneys.

22 MR. KNOWLES-KELLETT: Right.

23 JUDGE STEINBERG: I don't remember if I've even
24 read them.

25 MR. KNOWLES-KELLETT: Okay.

1 JUDGE STEINBERG: I assure you I have. That was a
2 joke.

3 MR. KNOWLES-KELLETT: We will, Your Honor.

4 JUDGE STEINBERG: I think that would be a better
5 thing to do.

6 MR. KNOWLES-KELLETT: That's fine.

7 JUDGE STEINBERG: Particularly the documents, if
8 any, that bear Mrs. Brasher's signature.

9 MR. KNOWLES-KELLETT: Okay.

10 MR. ROMNEY: Your Honor, in the interest of
11 optional completeness they've attempted to impeach this
12 witness using portions of the deposition, and they have
13 failed to read you the page immediately prior to that where
14 they ask specifically about this opposition.

15 MR. KNOWLES-KELLETT: We will treat that --

16 JUDGE STEINBERG: Don't talk when another person
17 is talking.

18 Did you look at it as impeachment? I looked at it
19 as refreshed recollection.

20 MR. ROMNEY: I think we can't tell what they're
21 doing with it, Your Honor.

22 JUDGE STEINBERG: Okay.

23 MR. ROMNEY: I don't know how they're using the
24 depositions.

25 JUDGE STEINBERG: Why don't you go ahead and read

1 the portions that you want read in?

2 MR. ROMNEY: I'll be happy to.

3 JUDGE STEINBERG: Then it will all be here for
4 whatever use anybody wants to make of it.

5 MR. ROMNEY: I refer the Court to page 31 of Ms.
6 Patricia Brasher's deposition given November 30 in Dallas,
7 Texas.

8 JUDGE STEINBERG: Okay. I don't have it. I don't
9 have it, so please read the portions that you want on the
10 record.

11 MR. ROMNEY: Beginning with Line 17:

12 "Q I'd like to show you what's been marked as
13 Patricia Brasher Exhibit 15."

14 Then it was referred to and marked. This was the
15 continuation of the question by Mr. Knowles-Kellett.
16 Question, Line 23:

17 "Q It's an opposition filed with the FCC
18 November 25, 1997. It was an opposition to the NetWave
19 petition. Did you -- could you take a minute and look at
20 that and see if you remember whether you saw it before?"

21 "A An opposition? What does that mean?"

22 "Q That NetWave filed their petition
23 challenging your right to the licenses."

24 "A Okay."

25 "Q And then your attorneys filed this

1 pleading."

2 "A Okay. I don't remember."

3 "Q Do you remember that being filed?"

4 "A No, sir, I don't. I'm sure it was, but I
5 don't remember it."

6 "Q Okay. So you don't recall reading that
7 before it was sent to the Commission? That's more the
8 essence of my question."

9 "A Oh."

10 "Q Did --"

11 "A I might have read it, but I don't remember
12 it."

13 "Q All right."

14 "A Okay."

15 "Q That's fine."

16 "A That's the best I can do."

17 JUDGE STEINBERG: Okay. I think if you want to
18 know about a particular document, you should direct Ms.
19 Brasher's attention to the document and ask questions about
20 that specific document.

21 MR. KNOWLES-KELLETT: Okay.

22 BY MR. KNOWLES-KELLETT:

23 Q Okay, Ms. Brasher. I'd like to draw your
24 attention to Exhibit 17.

25 THE REPORTER: I'm sorry. I really can't hear

1 you.

2 MR. KNOWLES-KELLETT: I'm sorry. I'd like to draw
3 your attention to Exhibit 17.

4 JUDGE STEINBERG: Mr. Kellett, why don't you
5 switch the microphone with the water bottle?

6 MS. LANCASTER: Right there.

7 JUDGE STEINBERG: There we go. Thank you.

8 BY MR. KNOWLES-KELLETT:

9 Q May I draw your attention to the second page of
10 that exhibit where the first line under Dear Mr. Fitzgibbons
11 says that this is a response on behalf of Ronald and DLB.

12 A Okay.

13 Q Can you take a minute and review this and see if
14 you've ever seen it before?

15 JUDGE STEINBERG: Take as much time as you need.
16 When you're finished, just let me know. It's fairly
17 lengthy.

18 THE WITNESS: Yes, I know.

19 JUDGE STEINBERG: We can go off the record while
20 you review it.

21 (Whereupon, a short recess was taken.)

22 JUDGE STEINBERG: Back on the record.

23 Ms. Brasher, did you read Exhibit No. 17 while we
24 were off the record?

25 THE WITNESS: Yes, sir, I did.

1 JUDGE STEINBERG: Okay. Mr. Kellett?

2 BY MR. KNOWLES-KELLETT:

3 Q Do you recall reading this back at the time it was
4 filed?

5 A No, sir, I do not recall reading it. I recall us
6 discussing it and Ronald writing it out in longhand and
7 having it typed up. Whether I read it after it was typed up
8 and mailed, I do not believe I did.

9 Q Okay. But as the answers were being formulated,
10 you and Ronald worked on that together? Is that correct?

11 A Yes. Yes. We worked, yes. It was a joint
12 effort.

13 Q Okay. Could you turn to Exhibit 19? That's the
14 big notebook.

15 A Okay. This here?

16 Q The first few pages are a response that your
17 attorneys filed with a zillion attached documents.

18 A 19? Okay.

19 MR. KNOWLES-KELLETT: Can we off of the record
20 again?

21 JUDGE STEINBERG: Do you want to read that?

22 THE WITNESS: Do I need to read this whole thing?
23 What is this in regards to?

24 JUDGE STEINBERG: It's about 11 pages.

25 THE WITNESS: Oh, good Lord. I don't think I'm

1 going to be reading this.

2 JUDGE STEINBERG: We'll go off the record. Why
3 don't you review it?

4 (Whereupon, a short recess was taken.)

5 JUDGE STEINBERG: Mrs. Brasher, while we were off
6 the record did you read Exhibit 19, the first 11 pages,
7 which are the cover letter?

8 THE WITNESS: Yes, sir, I did.

9 JUDGE STEINBERG: And I also directed Mrs.
10 Brasher's attention while we were off the record to page
11 630, which is the verification page. Did you read that?

12 THE WITNESS: Yes, sir, I did.

13 JUDGE STEINBERG: Okay. Mr. Kellett?

14 BY MR. KNOWLES-KELLETT:

15 Q Okay. Do you recall reading this response at or
16 about the time it was filed?

17 A Actually reading this after it had been done this
18 way? No, I do not. I remember a discussion with Mr.
19 Brasher on the content that was in here.

20 Q Okay. That's Ronald?

21 A Yes. Yes, Ronald.

22 Q Okay. Did you discuss it with anybody else?

23 A No, sir. I don't believe I would have other than
24 maybe David or Diane would have been the only three people
25 that would have ever discussed this.

1 Q Do you remember discussions with David or Diane at
2 that time, specific discussions?

3 A Yes. We would have had a number of discussions in
4 regards to -- yes, sir.

5 JUDGE STEINBERG: Let me just note for the record
6 that on the couple of times that Mrs. Brasher said I
7 discussed this, she was holding pages 1 through 11 in her
8 hand and kind of wiggled them, so I think the this refers to
9 pages 1 through 11 of Exhibit 19.

10 BY MR. KNOWLES-KELLETT:

11 Q Do you know who gathered the remaining documents
12 attached to that letter?

13 A Do you mean all this?

14 Q Do you have a general idea? I'm not asking for --

15 A Well, I would say that would be between me,
16 Ronald, Diane and David. It would have been who would have
17 had the time. I mean, you know, we're operating a business,
18 and it would have been, you know, if you've got time to look
19 for this, look for it. If I've got time to look for it, I
20 looked for it.

21 Q Okay. So is it your testimony that all of you
22 participated in gathering those documents?

23 A I would think that the majority of it would be
24 from me, Ronald and David. Diane would have done more of
25 maybe she might have typed something that went in here so

1 that the attorneys could read it.

2 JUDGE STEINBERG: For the record, when Mrs.
3 Brasher said went in here, she was patting the large volume
4 of documents attached to the letter in Exhibit 19. Is that
5 correct?

6 THE WITNESS: Yes, sir.

7 BY MR. KNOWLES-KELLETT:

8 Q Would you turn to Exhibit 21? It's back in the
9 other book.

10 A Oh, this book? This book?

11 Q 19 was so big we put it in the other book.

12 A Oh, okay.

13 Q That's all that's in that other book.

14 A Okay.

15 Q Everything else is --

16 A Good. Okay.

17 Q Can you take a minute to review this? Can I draw
18 particular attention to page 7 of the exhibit?

19 A Okay. Let me read the first one, and then I'll go
20 to 7.

21 JUDGE STEINBERG: We'll go off the record.

22 (Whereupon, a short recess was taken.)

23 JUDGE STEINBERG: While we were off the record,
24 Mrs. Brasher, did you read Enforcement Bureau Exhibit 21?

25 THE WITNESS: Yes, sir, I did.

1 JUDGE STEINBERG: Mr. Kellett?

2 BY MR. KNOWLES-KELLETT:

3 Q Okay. Do you recall seeing this at or about the
4 time it was filed?

5 A Yes, sir, I do.

6 Q Okay. On page 7 of the exhibit, is that your
7 signature?

8 A Yes, sir, it is.

9 Q Okay. Attesting to the accuracy of the portion of
10 the response that was from you?

11 A I beg your pardon? Yes.

12 Q Stating that the portion --

13 A Yes.

14 Q -- of the response from you was accurate?

15 A Yes, sir.

16 Q Okay. I'd like you to turn your attention to
17 Exhibit 29.

18 A Okay.

19 Q If it helps you at all, you can look back at 28 as
20 well. They are requests the Bureau made to you.

21 A Okay. Yes. That might help me to understand what
22 I'm looking at.

23 JUDGE STEINBERG: Yes. 28 and 29 sort of go
24 together.

25 Why don't we go off the record while Mrs. Brasher

1 reviews those?

2 (Whereupon, a short recess was taken.)

3 JUDGE STEINBERG: We're back on the record.

4 Mrs. Brasher, while we were off the record did you
5 read Bureau Exhibits 28 and 29?

6 THE WITNESS: Yes, sir, I did.

7 JUDGE STEINBERG: Okay. Mr. Kellett?

8 BY MR. KNOWLES-KELLETT:

9 Q Do you recall receiving 28 from your attorney?

10 A Yes, sir, I do.

11 Q Okay. And you helped in the preparation of the
12 answers in 29? Is that correct?

13 A That is correct.

14 Q Okay. Is that your signature at the end of 29?

15 A Yes, sir, it was.

16 MR. KNOWLES-KELLETT: I think now, Your Honor, is
17 an appropriate time for a break.

18 JUDGE STEINBERG: Okay. I have a question. Look
19 at Exhibit 28, page 4, on the bottom, the numbers on the
20 bottom.

21 THE WITNESS: Okay.

22 JUDGE STEINBERG: There's a question, and what the
23 Bureau is asking you to do is admit that O.C. Brasher, who
24 is your father-in-law or was your father-in-law -- is that
25 correct?

1 THE WITNESS: That's correct.

2 JUDGE STEINBERG: Admit that O.C. Brasher did not
3 sign a management agreement regarding management of Station
4 WPJR-761. Was WPJR-761 O.C. Brasher's licensed station?

5 THE WITNESS: Yes, sir.

6 JUDGE STEINBERG: When you read management
7 agreement -- first, when you read No. 39 did you see the
8 word management agreement?

9 THE WITNESS: Yes, sir.

10 JUDGE STEINBERG: What did that mean to you?

11 THE WITNESS: In the context with Mr. Brasher,
12 nothing.

13 JUDGE STEINBERG: Okay.

14 THE WITNESS: Because, I mean, we handled all of
15 Mr. Brasher's affairs.

16 JUDGE STEINBERG: That's O.C.?

17 THE WITNESS: Yes, sir. O.C.'s affairs. He lived
18 with me. I took care of everything to even picking his
19 prescriptions up for him, his medicine. I took him to the
20 doctor. I done everything for him. For him there would be
21 no need for any type of management agreement with him.

22 JUDGE STEINBERG: So I take it in your answer to
23 this, which is in Exhibit 29; if you go to 29 and look at
24 the No. 39 that's on page 3.

25 THE WITNESS: Okay.

1 JUDGE STEINBERG: The answer was, "Neither admit
2 nor deny. Respondent can't recall."

3 THE WITNESS: Yes. Right.

4 JUDGE STEINBERG: Okay. That was your answer.

5 THE WITNESS: Okay.

6 JUDGE STEINBERG: Please take a look at Exhibit
7 No. 5 in one of your books.

8 THE WITNESS: No. 5? Okay.

9 JUDGE STEINBERG: Yes, ma'am. Take a couple
10 minutes to just take a look at that.

11 Why don't you look at the last page now, which is
12 page 11? Do you see it looks like the handwritten O.C.
13 Brasher. Is that your signature on the bottom of that?

14 THE WITNESS: That looks like my signature.

15 JUDGE STEINBERG: Okay.

16 THE WITNESS: I don't --

17 JUDGE STEINBERG: Look at the rest of EB No. 5.

18 THE WITNESS: That's EB No. 5? Okay.

19 JUDGE STEINBERG: Yes. I'm going to ask you if
20 you're familiar with it and if you know the circumstances
21 surrounding it and how it came to be.

22 THE WITNESS: Okay. It is a management agreement.
23 Yes, I do recognize it as that, but I don't recall it.

24 JUDGE STEINBERG: You don't recall it?

25 THE WITNESS: No, sir.

1 JUDGE STEINBERG: But that is your signature on
2 page 11?

3 THE WITNESS: Yes, that is my signature, but it
4 never --

5 JUDGE STEINBERG: But you don't remember anything
6 about this document?

7 THE WITNESS: No, I don't. I don't remember
8 dealing with it. Like I said, it would have been another
9 piece of paper to sign.

10 JUDGE STEINBERG: Would this have been something
11 that Ron would have handled?

12 THE WITNESS: More than likely it would have been
13 something that --

14 JUDGE STEINBERG: But you don't remember
15 specifically about this piece of paper?

16 THE WITNESS: No. I don't really remember about
17 this being -- you know, I really don't remember it. I'll be
18 honest with you. I don't.

19 JUDGE STEINBERG: Okay. Now look at the date at
20 the top of page 1.

21 THE WITNESS: Right here?

22 JUDGE STEINBERG: Yes, ma'am. It says March 29.

23 THE WITNESS: March 29. Okay.

24 JUDGE STEINBERG: 1999. O.C. Brasher had passed
25 away by then?

1 THE WITNESS: That's correct.

2 JUDGE STEINBERG: Did it cross your mind that
3 you -- never mind. We'll just leave it at that.

4 Now let's go back to Exhibit No. 28, --

5 THE WITNESS: Okay.

6 JUDGE STEINBERG: -- which was the request for
7 admissions. No. 39 again says, "O.C. Brasher..." -- they're
8 asking you to admit that O.C. Brasher did not sign a
9 management agreement providing management of Station
10 WPJR-761.

11 THE WITNESS: Okay.

12 JUDGE STEINBERG: When you answered that question,
13 did you remember what I showed you as Exhibit No. 5?

14 THE WITNESS: Well, I would have thought in terms
15 of Mr. Brasher didn't sign very many things himself.

16 JUDGE STEINBERG: Do you mean O.C.?

17 THE WITNESS: Yes. O.C. did not sign very many
18 things by himself. Either Ronald or I did because we
19 handled all of his business on a daily basis, a day to day
20 basis. Of course, he just really didn't want to be bothered
21 with it.

22 You know, it was my husband had his power of
23 attorney, and we had since his mother had passed away, and
24 we had been dealing with taking care of all of his, you
25 know, personal and financial since then.